

## Message Text

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43

ACTION IO-14

INFO OCT-01 AF-10 EUR-25 ISO-00 CG-00 INT-08 SCI-06 EPA-04

CEQ-02 TRSE-00 OMB-01 CIAE-00 COME-00 DODE-00 EB-11

FMC-04 INR-10 NSAE-00 RSC-01 COA-02 DLOS-06 OIC-04

DOT-00 NSF-04 ACDA-19 SSO-00 NSCE-00 USIE-00 INRE-00

PM-07 H-03 L-03 NSC-10 PA-04 PRS-01 SPC-03 SS-20

DRC-01 IOE-00 /184 W

----- 076494

O 251600Z OCT 73

FM AMEMBASSY PRETORIA

TO SECSTATE WASHDC IMMEDIATE 8811

INFO AMEMBASSY LONDON IMMEDIATE

C O N F I D E N T I A L PRETORIA 3863

E.O. 11652: GDS

TAGS: IMCO, PBOR, ETRN, SENV

SUBJ: IMCO MARINE POLLUTION CONFERENCE:

LOS ISSUES

REF: (A) STATE 209908

(B) LONDON 12260

1. ECON COUNSELOR MADE POINTS PARA 5 AND PARA 6 LONDON REFTL WITH UNDER SECRETARY INTERNATIONAL ORGANIZATIONS - DEPT FONAFF (OXLEY) OCTOBER 25.

2. OXLEY WELL INFORMED DEVELOPMENTS RE ARTICLE 8 AT LONDON CONFERENCE. HE SAID CABINET GUIDELINES GAVE STRICT INSTRUCTIONS FOR SA DELEGATION SEEK MAXIMIZE COASTAL STATE CONTROLS FOR WATER UNDER ITS JURISDICTION, FOR SAG READ BOTH PORTS AND SIX PLUS SIX MILES.

3. SAG FOUND ARTICLE 8(1) AND 8(2) FIRST SENTENCE SATISFACTORY  
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BUT SHARED CONCERN RE 8(2) SECOND SENTENCE. UNDER THE CABINET-



APPROVED GUIDELINES, HE THOUGHT BEST POSITION SAG DELEGATION COULD TAKE WAS ABSTAIN ON SECOND SENTENCE ARTICLE 8(2) ON UNDERSTANDING FROM ITS DELEGATION THAT VOTING WOULD BE SENTENCE BY SENTENCE ON ARTICLE. ADDITIONALLY, SA WOULD ABSTAIN ON SUB PARA 3 RE NOTIFICATION WHICH HE INTERPRETED AS FALLING AWAY IF SECOND SENTENCE IN SUB PARA 2 ELIMINATED.

4. OXLEY INITIALLY REASONED THAT ARTICLE 9 DISCLAIMER OF PREJUDICE TO LAW OF SEA ISSUES TOOK CARE OF CONCERNS EXPRESSED ON THAT ACCOUNT BUT AFTER DISCUSSION AGREED THIS WAS A POINT TO CONSIDER. EMBOFF STRESSED THAT MANY WOULD ARGUE CONVENTION SETTLED ISSUE.

5. IN OTHER DISCUSSION EMBOFF STRESSED VALUE OMITTING ARTICLE 8 ENTIRELY, ARGUING THAT THIS WOULD MEET SAG CONCERNS BETTER THAN EVEN ARTICLE 8(1) AND (2) FIRST SENTENCE. ALSO POINTED OUT THAT SECOND SENTENCE SEEMED IMPORTANT PART OF COMPROMISE WITH THE MORE EXTREME COASTAL STATE POSITION AND BEST APPROACH TO AVOID THIS PITFALL WAS ELIMINATION ENTIRE ARTICLE.

6. OXLEY AGREED SEEK REVIEW OF POSITION IN LIGHT U.S. PRESENTATION AND ADVISE FRIDAY OCTOBER 26 WHAT SAG MIGHT BE ABLE TO DO BEYOND ABSTENTION OUTLINED ABOVE. HE ADDED THAT PROCEDURALLY IT MIGHT WORK OUT THAT SAG WOULD ABSTAIN ON ENTIRE ARTICLE IF IT APPEARED DEALING WITH SECOND SENTENCE ALONE RULED OUT.  
HURD

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NNN



## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** LAW OF THE SEA, WATER POLLUTION, SHIPBUILDING INDUSTRY, COASTAL WATERWAYS, TWELVE MILE LIMIT  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 25 OCT 1973  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** morefirh  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
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**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** GS HURD  
**Errors:** N/A  
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**Reference:** (A) STATE 209908  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** morefirh  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 11 JAN 2002  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <11-Jan-2002 by martinjw>; APPROVED <06 MAR 2002 by morefirh>  
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30 JUN 2005

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
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**TAGS:** SENV, PBOR, ETRN, IMCO  
**To:** STATE  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005